

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0750-02  
Bill No.: HB 460  
Subject: Education, Elementary and Secondary; Elementary and Secondary Education  
Department; Teachers  
Type: Original  
Date: April 4, 2011

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Bill Summary: This proposal changes the laws regarding bullying in schools

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Local Government</b>	<b>\$0</b>	<b>(Unknown - Could exceed \$100,000)</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

According to officials from the **Office of Secretary of State (SOS)**, many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the proposal. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

According to officials from the **Joint Committee on Administrative Rules (JCAR)**, this proposal should not create any additional fiscal impact above current appropriations to JCAR.

Officials from the **Department of Elementary and Secondary Education** indicate there is no fiscal impact to their agency. Local school districts might incur additional printing costs to implement this proposal. In addition, depending upon the level of training required by each school district for its school employees and volunteers, there could be significant unknown costs.

Officials from the **Parkway School District** and the **Fair Grove School District** state there is no fiscal impact to their respective districts.

Officials from the **Independence School District** state the annual survey required by this proposed legislation could cost their district approximately \$10,000.

In response to a similar proposal from last year (SB 946 FN 5041-01), the following school districts provided assumptions regarding fiscal impact:

Officials from the **Special School District of St Louis County** anticipate no fiscal impact to their school district as a result of this proposed legislation.

Officials from the **Francis Howell School District** anticipate the cost for developing posters of policy to be "conspicuously" placed in buildings at \$1,800.

ASSUMPTION (continued)

Officials from the **Sikeston School District** assume the proposed legislation, as written, would result in unknown costs to implement the legislation.

**Oversight** assumes costs to school districts as a result of this proposal would most likely be during the first year of implementation (FY 13) and costs in subsequent years would be minimal. Assuming each district spent an minimum of \$200 to implement the provisions outlined in the proposed legislation, **Oversight** assumes, for fiscal note purposes only, that costs are unknown, but could exceed \$100,000.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
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**LOCAL POLITICAL SUBDIVISIONS**

Cost - School Districts - Development,  
training, and printing costs

	(Unknown - Could exceed \$100,000)	
<u>\$0</u>	<u>\$100,000</u>	<u>\$0</u>

**ESTIMATED NET EFFECT ON  
LOCAL POLITICAL SUBDIVISIONS**

	<u>(Unknown - Could exceed \$100,000)</u>	
<u>\$0</u>	<u>\$100,000</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### FISCAL DESCRIPTION

This proposed legislation changes the laws regarding bullying in schools. Among its main provisions, the proposal:

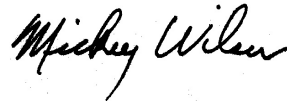
- (1) Revises the definition of "bullying" to include discrimination; substantial interference with a student's educational performance, opportunities, or benefits; or substantial disruption of the orderly operation of the school;
- (2) Prohibits bullying by school employees or students on school property, at school functions, or on school buses;
- (3) Removes the requirement that a bullying policy not enumerate protected classes of individuals and instead prohibits bullying when it is reasonably perceived to be motivated upon a person's real or perceived affiliation with any of several specified categories of individuals;
- (4) Requires a school employee, student, or volunteer who has witnessed or has reliable information that a student or employee has been subject to discrimination or harassment to report the incident to the appropriate school official;
- (5) Adds additional provisions that must be required in each district's anti-bullying policy including procedures for reporting and investigating bullying incidents, what information is acceptable as a basis for reporting, what range of remedial action is possible, dissemination of policy information, schedules for providing training and the review of the policy, and procedures for implementing and maintaining annual confidential surveys of students and school employees; and,
- (6) Requires the State Board of Education within the Department of Elementary and Secondary Education to develop model policies to assist local school districts in developing policies for the prevention of bullying no later than September 1, 2012.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education  
School Districts

Parkway  
Independence  
Fair Grove  
Special School District of St Louis County  
Sikeston  
Francis Howell  
Independence



Mickey Wilson, CPA  
Director  
April 4, 2011